

**MEMO ENDORSED**

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February 4, 2022

VIA ECF

Hon. Valerie E. Caproni  
United States District Court  
40 Foley Square, Room 2103  
New York, NY 10007-1312

Re: *Monge v. Gzim Realty LLC*  
Case No. 21-cv-08375

Dear Judge Caproni:

I represent the Plaintiff, Javier Monge, in the above-referenced matter. I write to request an adjournment of the 2/11/22 initial scheduling conference and some guidance on how to proceed with this case.

The court stayed the time for Defendants to Answer until the date of the initial scheduling conference. Defendants have not yet filed Answers, otherwise appeared, or contacted Plaintiff to discuss the matter. Plaintiff has no idea whether Defendants intend to appear at the conference, or whether they intend to default. Plaintiff has also not been able to seek a default since the matter is stayed until the conference.

Under ordinary rules, Defendants' Answers were due 12/13/2021. Plaintiff filed the Affidavits of Service on 1/24/2022. Plaintiff was unable to file a joint letter in preparation of the conference.

Plaintiff respectfully requests an adjournment of the conference. In the alternative, the conference may go forward, without a joint letter, to see if Defendants appear, and leaves this decision to the court's discretion. Thank you.

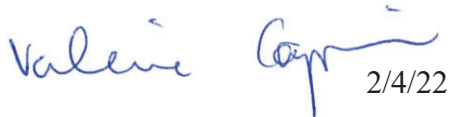
Respectfully submitted,

/s/ Jennifer E. Tucek  
Jennifer E. Tucek

The Initial Pre-Trial Conference currently scheduled for February 11, 2022, at 10:00 a.m. is hereby ADJOURNED *sine die*. Defendants' answers are due February 11, 2022. If either Defendant fails to move to dismiss or answer the Complaint by February 11, 2022, Plaintiff must seek a certificate of default not later than February 18, 2022. Within 14 days of receiving such a certificate, Plaintiff must apply for a default judgment consistent with the procedures described in Attachment A to the undersigned's Individual Practices in Civil Cases.

Plaintiff is ordered to serve a copy of this order on Defendants and post proof of service on the docket not later than February 9, 2022.

SO ORDERED.

 2/4/22

HON. VALERIE CAPRONI  
UNITED STATES DISTRICT JUDGE